

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

WILLIAM W. MILLSAPS, )  
Plaintiff, )  
v. ) Case No. 4:19-CV-2493 JCH  
THE RIGHT SOLUTION, INC. )  
Defendant. )

**MEMORANDUM AND ORDER**

This matter is before the Court on the Motion of The Right Solution, Inc. to Dismiss. (ECF No. 19). The matter is ready for disposition.

**DISCUSSION**

Pro Se Plaintiff filed the instant action on his behalf and on behalf of his two minor children on September 5, 2019. (ECF No. 1). Plaintiff alleges causes of action for Negligence and Professional Malpractice against Defendant the Right Solution, Inc. *Id.* On September 27, 2019, Defendant filed a Motion to Dismiss. (ECF No. 8). This Court granted Defendant's Motion in part and denied in part. (ECF No. 18). The Court specifically held that Pro Plaintiff failed to clearly outline the alleged negligent conduct of Defendant Right Solutions, but although Plaintiff's claims lack detail, the Court would allow Plaintiff the opportunity to amend his Complaint as to the alleged negligence or malpractice against Defendant Right Solutions on behalf of the minor children. The Court also held that as to Plaintiff's remaining claims of negligence or malpractice, Pro Se Plaintiff would be granted leave to amend his complaint to more clearly allege diversity jurisdiction. *Id.* On December 9, 2019, this Court ordered Plaintiff to file an Amended Complaint with the Court within 14 days and stated that failure to comply with such Order would result in the

dismissal of the remainder of Plaintiff's case. *Id.* On January 22, 2020, the Defendant filed the instant Motion to Dismiss for Plaintiff's failure to comply with the December 9, 2019 Order. Plaintiff has not filed an Amended Complaint, nor has Plaintiff responded to Defendant's Motion to Dismiss. Therefore, Plaintiff's case will be dismissed for failure to cure the deficiencies in his Complaint and for failure to comply with the Court's December 9 Order.

## **CONCLUSION**

Accordingly,

IT IS HEREBY ORDERED that the case brought by Plaintiff Millsaps is DISMISSED.

Judgement to accompany this ORDER.

Dated this 28th day of February 2020.

\s\ Jean C. Hamilton  
JEAN C. HAMILTON  
UNITED STATES DISTRICT COURT